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10/619,863	07/14/2003	Mehul Y. Shah	MS1-1539US	7761

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EXAMINER	
CHIO, TAT CHI	

ART UNIT	PAPER NUMBER
2621	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/619,863	SHAH ET AL.	
	Examiner	Art Unit	
	Tat Chi Chio	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-54* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-54* is/are rejected.

7)☒ Claim(s) *7* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/15/2004 and 11/22/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to because of the following informalities: claim 7 is dependent on itself, ~~which does not make sense~~. Appropriate correction is required.

TTQ 6/25/07

Claim Rejections - 35 USC § 102

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-10, 15, 16, 18-20, 29-34, 36-40, 42, 47-49, and 50-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Jaisimha et al. (US 6,487,663 B1).

Consider claims 1, 29, and 47, Jaisimha et al. teach a method comprising: receiving multimedia content from a source (Fig. 5); creating a linked set of components to process the multimedia content (col. 8, lines 28-30 and col. 9, lines 16-23); determining authority to record the multimedia content (col. 13, lines 19-28); providing a recording component in the linked set of components to record the multimedia content if authorized to record the multimedia content (col. 13, lines 19-28); and rendering the multimedia content with use of the linked set of components (col. 12, lines 52-61).

Consider claims 2, 31, and 48, Jaisimha et al. teach the method wherein the receiving is from an Internet website (Fig. 5).

Consider claims 3 and 51, Jaisimha et al. teach the method wherein the receiving comprises protected multimedia content (claim 8)

Consider claim 4, Jaisimha et al. teach the method wherein the receiving comprises encrypted multimedia content and the determining is based as to the ability to decrypt the multimedia content (claim 13).

Consider claim 5, Jaisimha et al. teach the method wherein the creating comprises components to render the multimedia content whether providing a recording component is performed or not (col. 12, lines 52-61).

Consider claims 6 and 34, Jaisimha et al. teach the method wherein the creating is performed for every instance multimedia content is received (col. 10, lines 24-32).

Consider claim 7, Jaisimha et al. teach the method wherein the linked set of components is destroyed once rendering is complete (the user can close the RealPlayer once the rendering is complete).

Consider claims 8 and 53, Jaisimha et al. teach the method wherein the determining authority is based on a predetermined protocol with the source (col. 2, lines 33-50).

Consider claims 9 and 54, Jaisimha et al. teach the method wherein the predetermined protocol is based on encryption and decryption keys shared with the source (col. 9, lines 37-42).

Consider claim 10, Jaisimha et al. teach the method wherein the providing the recording component is omitted if not authorized to record the multimedia content (col. 12, lines 52-61 and Fig. 8B).

Consider claim 15, Jaisimha et al. teach the method wherein the providing is based on the recording component being registered to be installed in the linked set of components (since the Recording component comes with the RealPlayer, it is registered to be installed in the linked set of components, col. 13, lines 19-28).

Consider claim 16, Jaisimha et al. teach the method further comprising establishing a user interface component to the recording component (col. 13, lines 22-25).

Consider claim 18, Jaisimha et al. teach the method wherein the user interface component is part of a media player that comprises the linked set of components (col. 13, lines 22-25).

Consider claim 19, Jaisimha et al. teach the method wherein the user interface component is external to a media player that comprises the linked set of components (the user uses a mouse (user interface that is external to the media player) to click on the record command button, col. 13, lines 22-25).

Consider claim 20, Jaisimha et al. teach a personal computer that performs the method of claim 1 (col. 5, lines 30-50 and Fig. 2).

Consider claims 30 and 49, Jaisimha et al. teach the computer wherein the multimedia content comprises audio content and video content (col. 12, lines 52-61).

Consider claim 32, Jaisimha et al. teach the computer wherein the means for rendering comprises creating a linked set of components (col. 10, lines 24-32).

Consider claim 33, Jaisimha et al. teach the computer wherein the linked set of components comprises a recording component (col. 13, lines 19-28).

Consider claim 36, Jaisimha et al. teach the computer wherein the means for storing comprises setting a flag in a recording component to indicate that multimedia content is authorized to be stored (col. 13, lines 28-35).

Consider claim 37, Jaisimha et al. teach a computer comprising: a memory (col. 5, lines 30-50); a processor coupled to the memory (col. 5, lines 30-50); and instructions stored in the memory and executable on the processor to access streaming multimedia content from a source (Fig. 5), render the streaming multimedia content (col. 12, lines 52-61), initiate a recording component to record the multimedia content if the computer is so authorized (Fig. 8B and col. 13, lines 19-28), and store multimedia content to a local storage device (Fig. 8B).

Consider claim 38, Jaisimha et al. teach the computer wherein the streaming multimedia content is received from an Internet website (Fig. 5).

Consider claim 39, Jaisimha et al. teach the computer wherein the streaming multimedia comprises encrypted multimedia content (claim 8 and claim 13).

Consider claim 40, Jaisimha et al. teach the computer wherein the computer is so authorized to record the multimedia content if the computer is able to decrypt the encrypted multimedia content (claim 13).

Consider claim 42, Jaisimha et al. teach the computer wherein the instructions further comprise providing a user interface to initiate rendering and recording (col. 5, lines 42-49, RealPlayer has user interface (play button) for rendering and col. 13, lines 19-28).

Consider claim 50, Jaisimha et al. teach the system wherein the multimedia content is streamed from the server computer to the playback computer (col. 12, lines 52-61).

Consider claim 52, Jaisimha et al. teach the system wherein the server computer and the playback computer exchange keys in order for the playback computer to render the multimedia content (Fig. 8A, Fig. 8B and col. 9, lines 37-42).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 11-14, 21, 23-28, 35, 41, 44, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaisimha et al. (US 6,487,663 B1) in view of Kimura (US 6,744,975 B1).

Consider claim 11, Jaisimha et al. teach all the limitations in claim 1 but fail to explicitly teach the method wherein the providing a recording component comprises a writer component connected to the recording component which stores the multimedia content to a local storage device.

Kimura teaches the method wherein the providing a recording component comprises a writer component connected to the recording component which stores the

multimedia content to a local storage device (18, 21, 22, and 23 of Fig. 1 are the equivalents of the write component). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the writer component to store the multimedia content in a local storage device for later viewing.

Consider claim 12, Kimura further teaches the method wherein the multiplexes audio and video content (15 of Fig. 1).

Consider claim 13, Kimura further teaches the method wherein the writer component compresses the multimedia prior to storing to the local storage device (12 and 14 of Fig. 1).

Consider claim 14, Kimura further teaches the method wherein the write component makes use of a predetermined protocol to store the multimedia content to the local storage device, where the predetermined protocol is used to play back the multimedia content (col. 4, lines 29-32).

Consider claim 21, Jaisimha et al. and Kimura teach a method comprising: receiving a stream of multimedia content from a source (Fig. 5 of Jaisimha et al.); separating the streamed multimedia content into audio content and video content (34 of Fig. 1 of Kimura); initiating a first linked set of components to process the audio content, and a second linked set of components to process the video content (col. 8, lines 28-30 and col. 9, lines 16-23); creating a first recording component in the first linked set of components to record the audio content if authorized, and a second recording component in the second linked set of components to record video content if authorized

(col. 13, lines 19-28); and providing audio output from the first linked set of components and video output from the second linked set of components (col. 12, lines 52-61).

Jaisimha et al. and Kimura teach the claimed invention except for a first and a second linked set of components to process, record, and output video and audio contents respectively. It would have been obvious to one of ordinary skill in the art at the time the invention was made to separate the linked set of components that are able to process, record, and output video and audio contents into two linked sets of components since it has been held that constructing formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179.

Consider claim 23, Jaisimha et al. teach the method wherein the receiving the stream of multimedia content is from an Internet source (Fig. 5).

Consider claim 24, Jaisimha et al. teach the method wherein the receiving the stream comprises protected multimedia content (claim 8).

Consider claim 25, Jaisimha et al. teach the method wherein the creating is performed based on registration of the first recording component as authorized to record audio content, and registration of the second recording component as authorized to record video content (since the Recording component comes with the RealPlayer, it is registered to be installed in the linked set of components, col. 13, lines 19-28).

Consider claim 26, Jaisimha et al. teach the method wherein the creating of first and second recording components is based on a predetermined protocol to allow recording of audio and video content (col. 2, lines 33-50).

Consider claim 27, Jaisimha et al. and Kimura fail to explicitly teach the method wherein the creating of the first recording component as authorized to record if audio content is not protected, and creating the second recording component as authorized if video content is not protected. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to create the first and second recording component as authorized to record audio and video, respectively, if they are not protected since it was known in the art that if the audio and video are not protected, they are free to record.

Consider claim 28, Jaisimha et al. teach the method wherein the creation of the first recording component as authorized to record if a predetermined protocol is established to allow audio content to be copied, and creation of the second recording component as authorized if the predetermined protocol is established to allow video content to be copied (Fig. 8B and col. 13, lines 19-28).

Consider claim 35, Kimura teaches the computer wherein the means for storing comprises a writer component that is initiated if multimedia content is authorized to be stored (col. 5, lines 10-22).

Consider claim 41, Kimura teaches the computer wherein the instructions further comprise separating the multimedia content into audio content and video content that are rendered separately (Fig. 1).

Consider claim 44, Jaisimha et al. and Kimura teach a computer-readable medium having computer-executable instructions for performing steps comprising: contacting a server computer to send multimedia content (Fig. 5 of Jaisimha et al.);

receiving the multimedia content (Fig. 5 of Jaisimha et al.); separating the multimedia content into audio content and video content (Fig. 1 of Kimura); decompressing the audio content and video content (35 and 37 of Fig. 1 of Kimura); creating an instance of a recording component to record the decompressed audio content and video content if so authorized to record (col. 13, lines 19-28 of Jaisimha et al.); rendering to audio output the decompressed audio content and to video output the decompressed video content (col. 12, lines 52-61 of Jaisimha et al.); and destroying the instance of the recording component after the multimedia content is rendered (the user can close the RealPlayer once the rendering is complete).

Consider claim 45, Jaisimha et al. teach the computer-readable medium further comprising a step of writing the decompressed audio and video content to a local file if so authorized to record (col. 13, lines 19-33).

4. Claims 17 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jaisimha et al. (US 6,487,663 B1) in view of Horie et al. (US 2002/0094191 A1).

Consider claims 17 and 43, Jaisimha et al. teach all the limitation in claim 1 but fail to teach the method wherein the user interface component provides status as to recording and rendering states.

Horie et al. teach the method wherein the user interface component provides status as to recording and rendering states ([0089] and [0108]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide status of the recording and rendering states to show the user the progress of the recording and rendering.

5. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jaisimha et al. (US 6,487,663 B1) in view of Kimura (US 6,744,975 B1) as applied to claim 44 above, and further in view of Horie et al. (US 2002/0094191 A1).

Consider claim 46, Jaisimha et al. and Kimura teach all the limitations in claim 44 but fail to teach the computer-readable medium further comprising a step of providing states as to recording and rendering.

Horie et al. teach the method wherein the user interface component provides status as to recording and rendering states ([0089] and [0108]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide status of the recording and rendering states to show the user the progress of the recording and rendering.

6. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jaisimha et al. (US 6,487,663 B1) in view of Kimura (US 6,744,975 B1) as applied to claim 21 above, and further in view of Hazra (US 6,510,553 B1).

Consider claim 22, Jaisimha et al. and Kimura teach all the limitations in claim 21 but fail to teach the method wherein the receiving the stream of multimedia content is from a separate source on a network.

Hazra teaches the method wherein the receiving the stream of multimedia content is from a separate source on a network (Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to receive

the stream of multimedia content from a separate source on a network to decrease the receiving time of the multimedia content.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tat Chi Chio whose telephone number is (571) 272-9563. The examiner can normally be reached on Monday - Thursday 8:30 AM-6:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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